



**GENERAL INFORMATION, INSTRUCTIONS, AND  
DEFINITIONS FOR COMMISSION PRODUCER,  
IMPORTER, AND PURCHASER QUESTIONNAIRES**

**Uranium from Russia  
Investigation No. 731-TA-539-C (Second Review)**

***Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to this review, you may contact the following members of the Commission's staff (Fax 202-205-3205):***

***Cynthia Trainor, investigator (202-205-3354; E-mail [cynthia.trainor@USITC.GOV](mailto:cynthia.trainor@USITC.GOV)) regarding general questions and trade and related information;***

***David Boyland, auditor (202-708-4725; E-mail [david.boyland@USITC.GOV](mailto:david.boyland@USITC.GOV)) regarding financial information; and***

***Craig Thomsen, economist (202-205-3226; E-mail [craig.thomsen@USITC.GOV](mailto:craig.thomsen@USITC.GOV)) regarding pricing, market, and related information.***

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS**

### **GENERAL INFORMATION**

***Background.***--On October 16, 1992, the Department of Commerce gave notice of its decision to suspend the investigations on imports of uranium from Russia, Ukraine, and Uzbekistan (57 F.R. 49220) and subsequently issued an antidumping duty order on imports of uranium from Ukraine (58 F.R. 45483). On July 1, 2005, the Commission instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act) to determine whether termination of the suspended investigation on Russia would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time (70 F.R. 38212). If the Commission makes an affirmative determination, the suspension agreement will remain in place. If the Commission makes a negative determination, the Department of Commerce will terminate the suspension agreement.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding this review via the Commission's TDD terminal (202-205-1810).

***Due date of questionnaire(s).***--Return the completed questionnaire(s) to the United States International Trade Commission by no later than March 30, 2006. Although the enclosed postpaid envelope may be used to return the completed questionnaire, use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by March 30, 2006. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of Cynthia Trainor. **Return only one copy of the completed questionnaire(s), but please keep a copy for your records so that you can refer to it if the Commission staff contacts you with any questions during the course of the review.**

***Service of questionnaire response(s).***--In the event that your firm is a party to this review, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **GENERAL INFORMATION--Continued**

**Confidentiality.**--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

**Verification.**--The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your workpapers and supporting documents used in the preparation of the questionnaire response(s).

**Release of information.**--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the review, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with this review or other import-injury investigations or reviews conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

### **INSTRUCTIONS**

**Answer all questions.**--Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is "none," write "none." **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates--designated as such by the letter "E"--and explain the basis of your estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s). If your firm is completing more than one questionnaire in connection with this review (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **INSTRUCTIONS--Continued**

**Consolidate all U.S. establishments.**--Report the requested data for your establishment(s) located in the United States. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

### **DEFINITIONS**

**Uranium.**--According to the June 3, 1992, preliminary determination, the suspended investigation of uranium from Russia encompassed one class or kind of merchandise. The merchandise included natural uranium in the form of uranium ores and concentrates; natural uranium metal and natural uranium compounds; alloys, dispersions (including cermet), ceramic products, and mixtures containing natural uranium or natural uranium compound; uranium enriched in  $U^{235}$  and its compounds; alloys dispersions (including cermet), ceramic products and mixtures containing uranium enriched in  $U^{235}$  or compounds or uranium enriched in  $U^{235}$ ; and any other forms of uranium within the same class or kind. The uranium subject to these investigations was provided for under subheadings 2612.10.0000, 2844.10.1000, 2844.10.2010, 2844.10.2025, 2844.10.2055, 2844.10.5000, 2844.20.0010, 2844.20.0020, 2844.20.0030, and 2844.20.0050 of the Harmonized Tariff Schedule of the United States ("HTSUS"). All forms of uranium products (e.g., uranium ore, uranium concentrate, LEU, HEU, depleted uranium tails, fabricated fuel, fabricated fuel assemblies) are included in these subheadings as are all uranium processing, including conversion, SWU, and fabrication.

On October 30, 1992, the Department issued notice of a suspension of the antidumping duty investigation of uranium from Russia and an amendment of the preliminary determination. The notice amended the scope of the investigation to include HEU. Imports of uranium ores and concentrates, natural uranium compounds, and all other forms of enriched uranium were classifiable under HTSUS subheadings 2612.10.00, 2844.10.20, 2844.20.00, respectively. Imports of natural uranium metal and forms of natural uranium other than compounds were classifiable under HTSUS subheadings 2844.10.10 and 2844.10.50. In addition, Section III of the Agreement provides that uranium ore from Russia that is milled into  $U_3O_8$  and/or converted into  $UF_6$  in another country prior to direct and/or indirect importation into the United States is considered uranium from Russia and is subject to the terms of the Agreement, regardless of any subsequent modification or blending. Uranium enriched in  $U^{235}$  in another country prior to direct and/or indirect importation into the United States is not considered uranium from the Russian Federation and is not subject to the terms of the Agreement.

In addition, Section M.1 of the Agreement in no way prevents the Russian Federation from selling directly or indirectly any or all of the HEU in existence at the time of the signing of the agreement and/or LEU produced in Russia from HEU to the Department of Energy ("DOE"), its governmental successor, its contractors, or U.S. private parties acting in association with DOE or the USEC and in a manner not inconsistent with the Agreement

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

between the United States of America and the Russian Federation concerning the disposition of HEU resulting from the dismantlement of nuclear weapons in Russia.

On August 6, 1999, USEC, Inc. and its subsidiary, United States Enrichment Corporation, requested that the Department issue a scope ruling to declare that enriched uranium located in Kazakhstan at the time of the dissolution of the Soviet Union is within the scope of the Russian suspension agreement. Respondent interested parties filed an opposition to the scope request on August 27, 1999. That scope request is pending before the Department at this time.

Data and/or information are requested for the following forms of uranium:

Uranium ores.—natural rocks containing  $U_3O_8$ , typically more than 0.05 percent by weight, or slurry made from such rocks.

Uranium concentrate (yellowcake).—concentrations of  $U_3O_8$  or other compounds of natural uranium.

Uranium hexafluoride ( $UF_6$ )

Enriched uranium hexafluoride, both LEU and HEU, by weight and separative work units (SWU)

Enriched uranium oxide(s), nitrate(s), and metal(s), including pellets made therefrom, but **not** fuel rods and fuel rod assemblies.

EUP.—LEU that is sold or purchased, where the customer does not provide natural  $UF_6$  for toll enrichment.

**Russian uranium or Russian-Origin Uranium**.—Any uranium product (e.g., uranium ore, uranium concentrate, LEU, HEU, or depleted uranium tails) or SWU produced in the Russian Federation or deemed to be of Russian origin pursuant to the Suspension Agreement and the USEC Privatization Act, 42 U.S.C. § 2297h-10. Imports of fabricated fuel assemblies should be treated as imports of the Russian LEU-DO or Russian LEU-HF that they contain and that Russian LEU-HF that is fabricated into pellets or fuel assemblies in a third country is still treated as Russian LEU-HF under the suspension agreement and must be counted for purposes of this sunset review as Russian LEU-HF when imported, even if the import originates in a third country.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Firm**--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

**Related firm**--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

**Establishment**--Each facility of a firm in the United States involved in the production, importation, and/or purchase of uranium (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

**United States**--For purposes of this review, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

**Importer**--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing uranium (as defined above) into the United States from a foreign manufacturer or through its selling agent.

**Imports**--Those products identified for Customs purposes as imports for consumption for which your firm was the importer of record (i.e., was responsible for paying any import duty) or consignee (i.e., to which the merchandise was first delivered).

**Import quantities**--Quantities reported should be net of returns.

**Import values**--Values reported should be landed, duty-paid but not including antidumping and/or countervailing duties, at the U.S. port of entry, including ocean freight and insurance costs, brokerage charges, and normal import duties (i.e., including all charges except inland freight in the United States and antidumping and/or countervailing duties).

**Purchaser**--Any person or firm engaged, either directly or through a parent company or subsidiary, in purchasing uranium (as defined above) from another firm that produces, imports, or otherwise distributes uranium. A retail firm that is the importer of record may be considered a purchaser.

**Purchases**--Purchases from all sources, NOT including direct imports from foreign producers (which should be reported in an importer questionnaire).

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Purchase quantities.**--Quantities reported should be net of returns.

**Purchase values.**--Values reported should be net values (i.e., gross purchase values less all discounts, allowances, rebates, and the value of returned goods), delivered to your U.S. receiving point.

**Shipments.**--Shipments of products produced in or imported by your U.S. establishment(s). Include shipments to the contracting firm of product produced by your firm under a toll agreement. Commercial shipments include deliveries to purchasers by book transfer and do not necessarily involve physical movement.

**Shipment quantities.**--Quantities reported should be net of returns.

**Shipment values.**--Values reported should be net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your U.S. point of shipment. The value of domestic shipments to the contracting firm under a toll agreement is the conversion fee (including profit).

### **Types of shipments:**

**U.S. shipments.**--Commercial shipments, internal consumption, and transfers to related firms within the United States.

**Commercial shipments.**--Shipments, other than internal consumption and transfers to related firms, within the United States.

**Internal consumption.**--Product consumed internally by your firm.

**Transfers to related firms.**--Shipments made to related domestic firms.

**Export shipments.**--Shipments to destinations outside the United States, including shipments to related firms.

**Inventories.**--Finished goods inventory as well as raw materials or work-in-progress as follows:

**Finished goods inventories**--Includes inventories of uranium products covered by the scope of this investigation, even if the material is an input or raw material into a further-processed (or downblended) form of uranium. Available material of non-Russian origin

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

owned or controlled by a Russian entity should be considered if the material could be used to produce a uranium product (such as LEU) in Russia.

***Raw material inventories***--Includes inventories of uranium products that are inputs into uranium product production, including but not limited to depleted uranium or tails. Available material of non-Russian origin owned or controlled by a Russian entity should be considered if the material could be used to produce a uranium product (such as LEU) in Russia.

**The following definitions apply only to the PRODUCER QUESTIONNAIRE.**

***Average production capacity***--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix). Include in the capacity data you report all methods to produce uranium, including enriching depleted uranium tails, downblending HEU, tails stripping, re processing uranium and enriching reprocessed uranium.

***Toll agreement***--Agreement between two firms whereby the first firm furnishes the raw materials and the second firm uses the raw materials to produce a product that it then returns to the first firm with a charge for processing costs, overhead, etc.

***Production***--All production in your U.S. establishment(s), including production consumed internally within your firm and production for another firm under a toll agreement. For the production of enriched uranium, production includes traditional methods, such as centrifugation and gaseous diffusion, as well as all other production methods resulting in enriched uranium, including such methods as enriching depleted tails, downblending HEU, tails stripping, reprocessing uranium and enriching reprocessed uranium.

***PRWs***--Production and related workers, including working supervisors and all nonsupervisory workers (including group leaders and trainees) engaged in fabricating, processing, assembling, inspecting, receiving, storage, handling, packing, warehousing, shipping, trucking, hauling, maintenance, repair, janitorial and guard services, product development, auxiliary production for plant's own use (e.g., power plant), recordkeeping, and other services closely associated with the above production operations.



## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Average number employed.**--Add the number of employees, both full-time and part-time, for the 12 pay periods ending closest to the 15th of the month and divide that total by 12.

**Hours worked.**--Include time paid for sick leave, holidays, and vacation time. Include overtime hours actually worked; do not convert overtime pay to its equivalent in straight-time hours.

**Wages paid.**--Total wages paid before deductions of any kind (e.g., withholding taxes, old-age and unemployment insurance, group insurance, union dues, bonds, etc.). Include wages paid directly by your firm for overtime, holidays, vacations, and sick leave.

**Fiscal year.**--The 12-month period between settlement of your firm's financial accounts.

**Continued Dumping and Subsidy Offset Act (Byrd Amendment) funds received.**--Funds disbursed by the Bureau of Customs and Border Protection under the Continued Dumping and Subsidy Offset Act of 2000 (the "Byrd Amendment"). The Byrd Amendment provides for the annual distribution of the duties collected pursuant to antidumping and countervailing duty orders. The distribution is available to "affected domestic producers for qualifying expenditures."

**Purchases other than direct imports.**--Purchases from U.S. producers, U.S. importers, and other U.S. sources.